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Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

ESTATE OF NEKIYLO DEWAYNE
GRAVES, by and through Eureka Graves as
next-of-kin, personal representative and its
Special Administrator SHANNON L.
EVANS; EUREKA GRAVES, an individual,

Plaintiffs,

vs.

NYE COUNTY, NEVADA, a political
subdivision of the State of Nevada; JOHN
KAKAVULIAS, an individual and employee
of Nye County, Nevada; SOC NEVADA,
LLC, a foreign limited liability company
(d/b/a "SOC, LLC"); TRE'QUIS HARRIS,
an individual and employee of SOC Nevada,
LLC; DOES I -X; ROES I-X,

Defendants.

Case No. 2:20-cv-2359-CDS-DJA

**JOINT STIPULATION TO EXTEND
PLAINTIFFS' TIME TO RESPOND TO
DEFENDANTS' MOTION TO DISMISS**

(SECOND REQUEST)

Pursuant to Federal Rule of Civil Procedure ("FRCP") 6 and the Court's Local of Civil

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Practice (“LR”) 7-1, Plaintiffs and Defendants (SOC Nevada, LLC and Tre’Quis Harris) hereby stipulate, subject to the Court’s approval, to extend by 3-business days (or until May 18, 2022) Plaintiffs’ time to respond to the pending motion to dismiss (ECF No. 69). Plaintiffs’ response is currently due May 13, 2022. This is the parties’ second stipulation for extension of time for Plaintiff’s to respond to the pending motion to dismiss. In support of this Stipulation, the parties rely upon the following:

1. Plaintiffs initiated this civil action on December 31, 2020 alleging the wrongful death of Nekiyo Graves. ECF No. 1.

2. Subsequently, and with leave of Court, a First Amended Complaint was filed by Plaintiffs on December 2, 2021. ECF No. 35.

3. On February 1, 2022, Defendants Tre’Quis Harris and SOC Nevada, LLC filed a motion to dismiss Plaintiffs’ First Amended Complaint. ECF No. 69. Because the motion was partially redacted, the parties stipulated that Plaintiffs would have 30-days to respond to the motion once an unredacted copy was provided to them. ECF No. 78. An unredacted copy of the dispositive motion was provided to Plaintiffs on March 31, 2022. *See* ECF No. 89.

4. Plaintiffs’ counsel needs additional time to respond to the pending motion to dismiss due to his competing case deadlines. Although Plaintiffs’ counsel has substantially completed a response to the motion to dismiss, 3-additional business days will provide undersigned counsel for Plaintiffs sufficient time to finalize the response while meeting other deadlines. In fact, during the past week, undersigned counsel has been busy preparing for a medical malpractice trial commencing on May 31, 2022 (including responding to the numerous pretrial motions filed

1 in that matter) as well as two depositions proceeding today, May 13, 2022. Accordingly, the
 2 additional, short extension will allow undersigned Plaintiffs' counsel time to meet other case
 3 commitments while finalizing a response to the pending motion to dismiss.

4 5. In light of the foregoing, the parties agree that good cause exists to support this
 5 request for a 3-business day extension of time, to and until May 18, 2022, and that the Court
 6 should approve this Stipulation.
 7

8 Respectfully submitted,

9 /s/ *Paul J. Anderson*

/s/ *Paul S. Padda*

10
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Attorney for Plaintiffs

14 Attorney for Defendants Tre'Quis Harris and
 15 SOC Nevada, LLC

Dated: May 13, 2022

16 Dated: May 13, 2022

17 **IT IS SO ORDERED:**

18
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 20 
 21 UNITED STATES DISTRICT JUDGE

22 **DATED:** May 16, 2022
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